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STATE ASSOCIATION OF MAGISTRATES

State Association of Magistrates.—The fifth annual conference of the New York State Association of Magistrates was held this year in Niagara Falls. The meetings began on December 12th and were continued for two days; about 50 judges from all parts of the state were present and very lively discussions upon various phases of the work of the lower courts in this state were carried on.

At the first meeting, following the address of President James K. O'Connor, City Judge of Utica, a paper was presented by Mr. George A. Hall in which he brought out the need of a stricter enforcement of the child labor law by magistrates. He quoted figures to show that there had been too great leniency in this regard by many up-state magistrates.

Mr. Charles L. Chute, Secretary of the State Probation Commission, urged that the time was ripe for more emphasis on the positive side of the child labor problem, urging the need of provision for more industrial education and beneficial handwork through the schools.

The difficult problems of bastardy and illegitimacy, with which magistrates are constantly compelled to deal, were then taken up. Judge William C. Gill, of Elmira, urged that fathers must be held to more responsibility for their offspring; the present practice lets them off far too easily with fine or on their bond. The general opinion of the conference was brought out in discussion and was to the effect that as far as possible marriage be insisted on in such cases. The other side of the question, however, was brought out by the Hon. George A. Lewis, of Buffalo, who pointed out that we must not forget the claims of eugenics and the fitness of a marriage in urging or compelling the same for the otherwise desirable end of the legitimacy of the child.

The opinion was expressed that bastardy and rape cases should be heard in private and that the consent of the newspapers not to publish the details of same should be secured. This is now the practice in Buffalo and in other cities of the state.

At the annual dinner, which was held in the evening, a very fruitful discussion resulted on the subject of needed reforms of criminal law and means for improving the standing and efficiency of magistrates' courts. District Attorney Ackerson, of Niagara County, pointed out that present law and court practice often worked to the injury of defendant and people alike. The greatest evil is delay in trial of cases. Through it defendants are often held in jail for months awaiting convening of the grand jury and witnesses frequently are "lost." This might be obviated by prompt trial in magistrates' courts.

Nearly every magistrate present took part in the discussion of these questions. It was pointed out that trials by justices of the peace in towns and villages are inefficient and obsolete and should be abolished. The establishment of district courts to take over this work, presided over by able justices trained in law, was advocated. Said courts should be both civil and criminal. The most pressing need is that magistrates' courts be given more power. In the words of District Attorney Ackerson, "we should make over the law to give magistrates the great burden of the criminal work of the state." "The grandest work the magistrates are doing is the saving of young criminals by probation." "We must raise the dignity and public esteem of these courts. They should be presided over by trained lawyers, but also those who are close to the people. Magistrates should often appear before the people and should use the news-

PLEAS OF GUILTY WITHOUT INDICTMENT

papers judiciously in order to keep the public in touch with the important work they are doing."

At the morning session on Saturday, Judge Appell, of Mount Vernon, and Judge Nugent, of Dunkirk, handled the question of junk dealers and pawn-brokers. It was pointed out that these dealers directly promote larceny and create youthful criminals. It was urged that junk dealers receiving stolen property should be severely dealt with, that they should never be let off with a fine but should be imprisoned. It was also urged that the itinerant collector of junk should be abolished.

Judge Robert J. Wilkin, of Brooklyn, presented the report of the committee on "The Acceptance of Pleas of Guilty in Cases of Felony Without Indictment." (See below.) The committee recommended that a constitutional amendment be sought so that any offender who pleads guilty may be tried before the magistrate's court, without recourse to the grand jury, except in cases of murder and possibly a few other serious crimes. It was pointed out that this reform would decrease the expenses of our courts one-half and would prevent long and unjust imprisonments awaiting trial. Judge Chadsey, of Rochester, pointed out that magistrates should be allowed to defer sentence for two or three days to allow for adequate investigation. A committee was appointed to take steps to secure amendments to effect the above purposes at the coming Constitutional Convention.

The convention also adopted resolutions urging that the Hudson Training School for Girls be immediately enlarged and that a new training school for girls be established in Western New York. Another resolution was also adopted by the conference putting it on record in favor of paying the earnings of men committed to jail direct to their families.

The following officers were elected for the ensuing year: President, Hon. Charles H. Piper, Police Justice, Niagara Falls; Vice-President, Hon. George C. Appell, City Judge, Mount Vernon; Secretary, Charles L. Chute, Albany, N. Y.

CHARLES L. CHUTE,

Secretary of the State Probation Commission.

Acceptance of Pleas of Guilty in Cases of Felony Without Indictment.—

The following report of a committee of the New York State Association of Magistrates, under the above title, has been received from Judge Wilkins, of Brooklyn. We are indebted to Judge Wilkin also for the additional explanation and comment.—[Ed.]

Some two years ago, the Annual Conference of the Magistrates of the State of New York, held at Albany, had their attention called by Mr. George McLaughlin, secretary of the State Commission of Prisons, to a condition which he felt was wrongful to the citizen who might be charged with an offense in some parts of the state of New York, and also might be harmful to any one who might be charged and be detained unnecessarily in the noisome and objectionable jails extant.

A committee, consisting of Hon. J. B. M. Stephens, County Judge of Monroe County, Hon. John J. Brady, Police Justice, of Albany, and myself, as chairman, was appointed to investigate the subject, and we have been studying the matter since that time.

In addition to this subject, the committee was also given two other points